

November 16, 2007

The Honorable Kevin J. Martin

Chairman

Federal Communications Commission

445 - 12th Street, SW

Washington, D.C. 20554

Dear Chairman Martin:

I write to share with you and the other Commissioners two newspaper editorials from Vermont regarding Verizon Wireless' proposed acquisition of UniceL. One of the editorials was printed in the newspaper with the largest circulation in the state, The Burlington Free Press.

Both of these editorials raise many of the same concerns that I have regarding the impact of the proposed acquisition on consumers and the economic prosperity of Vermont.

These articles are enclosed for your consideration and also so that they

may be included in WT Docket No. 07-208. I urge you and your fellow Commissioners to consider these editorials in your deliberations.

Thank you very much for your consideration.

Sincerely,

BERNARD SANDERS

United States Senator

Enclosures

The Burlington Free Press

Editorial: State's wireless future hangs in the balance

November 7, 2007

It's unusual to find the Vermont Public Interest Research Group and the Lake Champlain Regional Chamber of Commerce on the same side of an issue. The fact the public advocacy group and the business organization

came together to raise concerns about a bid by Verizon Wireless to buy rival Unicel underscores how important the quality of cell phone service is to Vermont.

Verizon announced in July the company is seeking to buy Rural Cellular Corp., which operates the Unicel cell phone service, for \$2.7 billion. The deal would give Verizon, a joint venture of Verizon Communications and Vodafone, more than 700,000 additional wireless customers in Vermont and 14 other states.

The concern is that merger of the two cell phone companies with the most subscribers and the most extensive networks in Vermont would give Verizon a near monopoly in the state. State Public Service Commissioner David O'Brien expressed similar concerns when the deal was announced. A small market with little competition could face higher prices and end up last in line for new services and technology.

Because the deal needs the approval of federal regulators, this is the right time to raise concerns and protect the state's future. That's what VPIRG and the chamber did by joining Sen. Bernie Sanders on Monday to call for conditions on the sale that would protect consumers and ensure Vermont remains a competitive and affordable cell phone market. The conditions call for:

Providing Vermont with 100 percent cell phone coverage within two years.

Keeping up Unicel's network -- which employs a standard used by many cell phone carriers but not by Verizon -- or selling the system to a company that will.

Offering Unice! customers equivalent phones that will work on Verizon's network.

Providing roaming services at reasonable rates to customers of other cell phone carriers.

Cell phones today are an integral part of everyday life. We flip open the cell phone and expect the call to go through. But concerns about the impact of the Verizon-Unice! merger on cell service go beyond convenience. It is an economic necessity that Vermont has whenever, wherever cell service. Vermonters and visitors to the state -- tourists and business people alike -- expect their phones to work regardless of what wireless company they subscribe to.

Should the sale go through, Vermont will become an even smaller slice of an even bigger pie. That means what leverage Vermont might have to prevent the state from becoming a telecommunications backwater is best exercised now before the deal is sealed. A statewide consumer advocacy group, a business organization and an independent senator are taking the lead.

The Valley News

Editorial: Verizon Calling, Sen. Sanders Questions Deal

November 11, 2007

Cellular telephone service in Vermont, notoriously spotty throughout the mountainous and largely rural landscape, could get worse if Verizon Wireless acquires a competitor, the Rural Cellular Corp., which operates under the name UniceL. Why? Because if the acquisition is approved by the Federal Communications Commission without specific protections, then Verizon Wireless would have a near state monopoly that could affect everything from whether there is cell phone coverage in certain areas to the price of service.

But there's another troubling aspect to Verizon Wireless' plans. Verizon is one of a limited number of cell phone providers to use a network technology called CDMA. UniceL and other common providers such as AT&T and T-Mobile use a technology known as GSM. By taking over UniceL's business in Vermont, Verizon could disrupt the service of cell phone users who rely on GSM networks. In short, the acquisition could affect not only UniceL's tens of thousands of current customers in the state (who, Verizon says, would receive new handsets compatible with its infrastructure) but also service for customers of other cell phone networks who "roam" on UniceL's GSM network, including those doing business in the state and tourists.

If you think this would put the state at an economic and social disadvantage, you'd be right. It also threatens to inconvenience an awful lot of people who've come to rely on mobile phones, whether at home, for business or when traveling. That's why Sen. Bernie Sanders, I-Vt., has alerted the FCC to the serious problems posed by Verizon Wireless' proposed acquisition. Since Congress has prevented states from regulating mobile phone services, it's incumbent on federal regulators to ensure that the fierce competition in the country's mobile phone sector doesn't adversely affect small states such as Vermont.

"Vague promises about undetermined build-outs over some extended future time period will not meet the real-world needs of Vermont business and consumers," Sanders wrote in his letter to the FCC. Sanders, quite rightly, has asked the FCC to approve the transaction only if Verizon Wireless agrees to meet certain enforceable conditions, among them:

\* A commitment to provide coverage throughout the state.

\* A commitment to maintain and expand the GSM network indefinitely or to sell the GSM network to a provider who would maintain and expand it.

\* A commitment to provide automatic roaming services at reasonable rates to other carriers.

There are echoes here of another deal in the offing: the sale by Verizon of its landlines to FairPoint, which is poised to become the leading telephone operator in northern New England if state utility commissions approve. While FairPoint spokesmen say the company plans to deploy the most up-to-date broadband technology and to expand broadband to underserved towns throughout both Vermont and New Hampshire, there are no regulations in place now to compel the company to do so (Vermont's Department of Public Service is negotiating with FairPoint to set conditions). Customers would have to wait and see if promises were kept.

Both commercial transactions, if approved, exemplify the practical difficulties of making Vermont the nation's first "e-state," the goal of Gov. Jim Douglas and the Legislature, which earlier this year created the Vermont Telecommunications Authority, a quasi-public body that's supposed to help deliver broadband and wireless services to every Vermont household within just three years. Meanwhile, telecommunications companies such as Verizon and UniceL and FairPoint are scurrying around buying and selling assets, proof that market forces could undermine the state's best intentions.

Sen. Sanders is right to fight on behalf of Vermont's mobile phone users. But where, we'd like to know, are New Hampshire senators John Sununu and Judd Gregg? This deal affects customers in New Hampshire, too. Or are the Granite State's Republican senators too enamored of laissez-faire capitalism to really care?

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